

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER RULE 53(b)

#2 Pch

Pursuant to 37 CFR 1.53(b), please file a
☐ continuation/☒ divisional
of the pending prior PATENT APPLICATION of:
Inventor: NOVACEK ET AL.
Serial No. 08/917,337
Filed: August 25, 1997
For: **SAFETY SYRINGE NEEDLE DEVICE WITH INTERCHANGEABLE AND
RETRACTABLE NEEDLE PLATFORM**

Atty Dkt.: 968-76

C# M#

Date: December 18, 1998

Group: 3734

Examiner: Yasko

1525 U.S. PRO
09/215519
12/18/98

12/18/98

Commissioner for Patents
Washington, DC 20231

A request for filing under Rule 53(b) is made by the following named inventor(s) (using the above-identified title):
Inventor(s): NOVACEK ET AL.

- ☒ Attached is a true copy of the prior application as originally filed including the specification, claims, Oath/Declaration and drawings (if any) and abstract (if any). No amendments (if any) referenced in the Oath or Declaration filed to complete the prior application introduced new matter.
- ☐ Priority is hereby claimed under 35 USC 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year/Filed
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☐ certified copy(ies) of foreign application(s) attached or

☐ already filed on _____ in prior appln. no. _____ filed _____

☒ Please amend the specification by inserting before the first line: -- This application claims the benefit of U.S. Provisional Application No. _____, filed _____.

☒ The prior application is assigned to INVIRO MEDICAL DEVICES, LTD..

☒ Power of Attorney has been granted to Richard G. Besha et al, Reg. No. 22,770 of Nixon & Vanderhye P.C., 1100 North Glebe Road, 8th Floor, Arlington, Virginia 22201.

☒ Address all future communications to: Nixon & Vanderhye P.C., 1100 North Glebe Road, 8th Floor, Arlington, Virginia 22201.

☒ Please amend the specification by inserting before the first line -- This is a divisional of application Serial No. 08/917,337, filed August 25, 1997, now ~~pending~~ U.S. Pat. No. 5,831,880.

☒ "Small entity" statement of record. ☐ "Small entity" statement attached.

☒ Petition filed in prior application to extend its life to insure copendency.

☒ The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein.

☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

☒ The entire disclosure of the prior application above-referenced is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

Basic Filing Fee.....		\$	760.00
Total effective claims	12 - 20 (at least 20) = 0	x \$ 18.00.....	\$ 0.00
Independent claims	1 - 3 (at least 3) = 0	x \$ 78.00.....	\$ 0.00
If any proper multiple dependent claims now added for first time, add \$260.00 (ignore improper).....		\$	0.00
		SUBTOTAL	\$ 760.00
If "small entity," then enter half (1/2) of subtotal and subtract.....		\$(380.00)
		SECOND SUBTOTAL	\$ 380.00
Assignment Recording Fee (\$40.00).....		\$	0.00
		TOTAL FEE ENCLOSED	\$ 380.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
RBB:alm

NIXON & VANDERHYE P.C.

By Atty: Richard G. Besha, Reg. No. 22,770

Signature: Richard Besha

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